



To: Biden-Harris Transition Team

From: Alliance for Excellent Education

Re: Recommendations for Advancing Equity and Preparing All Students for Postsecondary Education

Date: December 8, 2020

The United States is at an educational crossroad. At no other time in history has education been as important to personal prosperity and the nation's economic vitality. [Eighty percent of good-paying jobs require postsecondary education](#), and 56% require a bachelor's degree or higher. Moreover, people with a postsecondary education are far more likely to be employed during the COVID-19 recession and other economic downturns. During the Great Recession, for example, [the unemployment rate](#) for people with a bachelor's degree or higher never exceeded 5%. During today's COVID-19 economic downturn, the highest unemployment rate for people with a high school diploma but no college was 17.3%, whereas the highest unemployment rate for people with a bachelor's degree was 8.4%.

We must educate our way to a lasting economic recovery. However, COVID-19 has illuminated and exacerbated inequities that have made it more difficult to provide each child with an equitable and excellent education. For example, state budget deficits threaten to widen the current [\\$2,200 gap](#) in per-pupil spending between school districts that are predominantly white and those that are predominantly non-white. In addition, remote learning has brought into focus the need to address the [Homework Gap](#) that impacts one out of three Black, Latino, and American Indian/Alaska Native families.

The Biden-Harris Administration has the opportunity to address these and many other challenges facing students of color, children from low-income families, and other historically underserved students. We offer recommendations in the following areas for actions that can begin within the first 100 days of the administration:

- I. Equity-Focused Response to COVID-19
- II. Every Student Succeeds Act (ESSA) Implementation
- III. Transition from High School to College
- IV. Protecting Students' Civil Rights
- V. Digital Learning

I. Equity-Focused Response to COVID-19

Legislative Action

- Education Stabilization Funding: All4Ed's unpublished analyses of COVID-19--related education costs exceed \$225 billion for K-12 schools. Therefore, we strongly support an appropriation of at least \$175 billion for K-12 schools through an Education Stabilization Fund as proposed under the [revised HEROES Act](#) and the [Coronavirus Child Care and Education Relief Act](#) (CCCERA). We also strongly support dedicated funding for formula programs under the Elementary and Secondary Education Act (ESEA).
- Addressing learning loss: Estimates project [learning loss](#) on a scale that has never been seen before as a result of the COVID-19 pandemic. It is, therefore, essential to target federal resources toward addressing instructional loss (for example, as proposed under sections 18001(d)(2) and 18001(e)(1) of the CCCERA). In addition, additional funding (in excess of amounts statutorily set aside under section 1003(a) of the ESEA) could be provided to schools identified for comprehensive and targeted support and improvement under ESSA through a COVID-19 relief package.
- Transition from high school to college: Due to the pandemic, freshmen enrollment in postsecondary education has [declined 13%](#). To ensure all students can access postsecondary education despite the economic and educational impacts from COVID-19, we urge the inclusion of language permitting federal funds to support students' transition from high school to postsecondary education in any COVID-19 stimulus package, as proposed under section 18001(d)(1)(L) of the CCCERA.
- Broadband: Nearly [17 million children](#), including children living in one out of three Black, Latino, and American Indian/Alaska Native families, lack high-speed home internet access. Further, roughly 17 percent of Black and Latino families, and nearly 16 percent of American Indian/Alaska Native families, do not have a computer or other device at home, compared to only 8 percent of white families. To ensure all children receive an education during, and beyond, the pandemic, we strongly support an appropriation of \$12 billion for the E-rate program, as proposed under the HEROES Act.
- Homeless students: A report from [SchoolHouse Connection](#) estimates that 420,000 fewer homeless students have been identified and enrolled in school this fall in comparison to last year, a devastating result of school closures and the subsequent inability to support students experiencing homelessness. Further, the SchoolHouse Connection survey of school district homeless liaisons shows that only 18% of respondents report CARES Act funds being targeted to support students experiencing homelessness. Therefore, we urge an appropriation of \$500 million for the McKinney-Vento Education for Homeless Children and Youth (ECHY) program, as proposed under the CCCERA.

Administrative Action

- Assessments, data, and student supports: Instructional loss resulting from the pandemic could [set back a generation of students](#). Parents and policymakers need and deserve transparent information on student performance, including whether students are meeting grade-level expectations and are on-track to graduate high school college- and career-ready. Moreover, where achievement data reveals equity and opportunity gaps, it must be coupled with targeted, meaningful, and substantial investments and other resources to support students' recovery and address [significant learning loss](#). Therefore, we join [other education and civil rights organizations](#) in urging the Biden-Harris administration to maintain USED's October 2020 guidance, *Impact of COVID-19 on Accountability Systems Required under the Elementary and Secondary Education Act*.

II. ESSA Implementation

Budget Request

- Title I, Part A: We support the education funding increases proposed by President-elect Biden during the campaign, including the proposal to triple funding for Title I formula funding. We would, however, urge caution against earmarking these funds as proposed to increase teacher salaries, expand preschool, and expand access to rigorous coursework. Each of these policy objectives are important, and districts already have the flexibility to use Title I in support of each activity. Earmarking Title I-A grants for specific purposes would change the nature of Title I, diminishing the ability of districts to prioritize locally identified needs and incentivizing constituency groups to advocate for additional earmarking of this vital funding stream. Instead of earmarking Title I funds, we would support new separate, dedicated funding streams (either a competitive or formula grant program) for these purposes.
- School improvement: In addition to overall increases in Title I, Part A funding, we recommend requesting additional appropriations dedicated for school improvement (e.g., for activities required under section 1003(a) of the ESEA) to ensure there are sufficient resources to address the increased needs of districts and schools serving students most impacted by unfinished instruction, schooling disruptions, and other COVID-19-related trauma. This is necessary for two reasons:
 - (1) Because school improvement is structured as a 7% set-aside within Title I, a monumental increase in Title I funding would be necessary for school improvement to receive a meaningful funding increase. For example, if Title I were to receive a \$1 billion increase, only \$70 million would be dedicated for the nation's lowest-performing schools. This is hardly adequate.
 - (2) Many states have not identified large percentages of low-performing schools for support, likely because they lack sufficient resources to fund their improvement efforts. This is especially problematic because these schools disproportionately enroll students of color, students from low-income families, and other historically

underserved students. For example, based on All4Ed’s [When Equity is Optional](#)¹ analysis of year-one ESSA implementation data in 10 states: 80% of Michigan’s schools in the bottom 5% of the state’s accountability index, 43% of Mississippi “F” schools, and 37% of Connecticut’s schools in the bottom 5% of the state’s index were not identified for support.

- **Title I, Part B:** Again, we believe it is critical for states to administer [assessments](#) during the 2020-21 school year so that we do not lose another year of data on students’ progress at a time when equity and opportunity gaps are growing. While current assessment systems are imperfect, they are the best – and often, only – tool states have at their disposal to collect comparable data about student performance. Lack of resources, however, has made states’ task of adapting their assessment systems to the pandemic, and planning for better systems in the future, more challenging than necessary. Despite the many critical uses of this data, federal funding for assessments is insufficient to maintain states’ existing assessments, let alone invest in innovations that would improve their design, delivery, and reporting of results. This is due, in part, to a statutory “trigger” that inhibits increasing the appropriation for formula grants for state assessments above \$369.1 million. Further, ESSA authorizes an Innovative Assessment Demonstration Authority (IADA) program to encourage improvements in large-scale assessment programs, but without any authorization of funds to help states pilot these innovative approaches. Few states have applied for IADA given the significant investment required to develop and implement a more innovative testing system while maintaining administration of their current assessment programs (an IADA requirement and guardrail All4Ed strongly supports). Thus, we urge the Biden Administration to include language in its first budget request that would both:
 - (1) override the statutory cap on funding for state assessments and related activities (ESEA sections 1111(b)(2)(I) and 1203(a)) and propose a significant increase in funding, well above the \$369.1 million trigger amount, for formula grants for state assessment (ESEA section 1201); and
 - (2) increase the amount available for competitive funding for assessments (ESEA section 1203(b)), so that meaningful award amounts are available to support states implementing and/or planning to apply for IADA (ESEA section 1204). The \$9 million that has been provided for competitive awards for assessments in recent years is insufficient to support IADA implementation in multiple states.

Administrative Action

- **ESSA guidance, technical assistance, and oversight:** Federal support and oversight are essential tools to ensure states and districts implement ESSA in ways that promote equity and close opportunity gaps. Unfortunately, ESSA oversight by the U.S. Department of Education (USED) under Secretary DeVos has been mostly nonexistent, and evidence suggests ESSA implementation suffered as a result. For example, some states have excluded many of their [lowest-performing schools](#)—and the students they serve—from support and

¹ Prior to their release on December 10, embargoed copies of the *When Equity is Optional* reports are available [here](#).

improvement, and the additional ESSA resources available as a result. Further, [26 states](#) are missing achievement data for at least one required student group on their annual report cards. The rescission of ESSA regulations and non-regulatory guidance for accountability, data reporting, and consolidated state plans in 2017 is partly to blame for uneven ESSA implementation across states. In addition, to date, USED has completed program monitoring and posted [performance reviews](#) of ESSA implementation for fewer than half of states over the last four years. To correct course, we urge your administration to:

- (1) Issue new and/or update existing non-regulatory guidance related to ESSA's Title programs, including frequently asked questions related to accountability (ESEA section 1111(c)), school support and improvement (ESEA section 1111(d)), and school improvement funding (ESEA section 1003(a)).
- (2) Issue new non-regulatory guidance specifically focused on leveraging ESSA's resource equity provisions to support students most affected by COVID-19. This guidance should encourage states to: (a) ensure that inequities identified in previously approved school improvement plans (ESEA sections 1111(d)(1)(B)(iv) and 1111(d)(2)(C)) are updated to reflect resources inequities created or exacerbated by the pandemic; (b) update and/or conduct new reviews of district resource allocation in districts with significant numbers of identified schools and adopt a timeline for more frequently conducting such reviews (ESEA section 1111(d)(3)(A)(ii)); and (c) take action at the state- and district- level to address any inequities identified.
- (3) Conduct oversight and update guidance to ensure states and districts include all required data, including new resource equity indicators (ESEA section 1111(h)(1)(C)(viii)-(x)) on their state and local report cards for the 2020-21 school year (ESEA section 1111(h)(1)(C) and 1111(h)(2)(C)).
- (4) Accelerate USED's oversight and program monitoring scheduled so that all states undergo program monitoring, with priority given to those states that have not yet had any performance review under ESSA.

III. Transition from High School to College

Budget Request

- Pell for dual enrollment: We strongly support the elements of your K-12 and higher education plans to create greater alignment between high school and higher education, including your proposal for providing grants to expand accelerated degree strategies (such as dual enrollment and early college high schools) and your commitment to allowing Pell grants to be used for dual enrollment programs. We encourage your first budget request to include a proposal for allowing Pell grants to be used by students from low-income families to enroll in USED-approved dual enrollment programs (see recommendations offered by the [College in High School Alliance](#) for additional information).
- Fast Track To and Through College: We encourage you to consider proposing funding for a specific approach to dual enrollment in the FY 2021 budget request: [Fast Track](#). This proposal, outlined in the bipartisan [Fast Track To and Through College Act](#) (S.2736), would allow college-ready high school juniors to have two pathway options during their senior of high school: graduate early with a scholarship to a public institution of higher education in

their state, or enroll in a state-designed, full slate of dual enrollment, Advanced Placement, International Baccalaureate, and other courses equivalent to the freshman year of college.

IV. Protecting Students' Civil Rights

Administrative Action

- Civil rights guidance: As noted in our [joint memo](#) with ten other education and civil rights organizations on how the Biden-Harris administration can advance educational equity, the nation's most systematically marginalized students continue to face barriers to accessing a high-quality public education, which have been exacerbated by policies supported by Secretary DeVos over the last four years. We strongly urge your administration to restore and strengthen critical civil rights guidance that protects the most vulnerable students, including guidance on school discipline, supporting transgender students, Title IX, and school integration and diversity.
- Civil Right Data Collection (CRDC): Families want and need to be informed as to the quality of schools in their community—and the CRDC is a vital source of transparent, disaggregated, and trusted data. Several of Secretary DeVos' policies, however, undermined the CRDC and limited its power in helping education advocates and leaders identify and address equity gaps. Immediate action should be taken to restore and strengthen the CRDC, specifically:
 - (1) After much delay, USED released data from the 2017-18 CRDC in October 2020. However, the release included little analysis of what the data revealed regarding the educational experiences of Black, Latino, and other students of color. Given the historical focus of the CRDC on racial inequities, the consequences of systemic racism in our nation's education system that continue to affect Black and Brown students, and the fact that communities of color have been disproportionately affected by the pandemic, we urge your administration to release [further analysis](#) of the most recent CRDC to shine light on inequities in educational resources and opportunities for students of color—rather than relying on civil rights and education advocates to parse the data themselves.
 - (2) Secretary DeVos [planned to retire](#) several critical CRDC data elements, including those measuring school finance, advanced coursework and credit recovery, educator experience, retention, and absenteeism, and preschool. The Biden-Harris administration should restore the collection of all elements in the CRDC that were slated for retirement.
 - (3) In addition to restoring eliminated data points, USED's Office for Civil Rights should consider adding new data elements that are relevant given the unprecedented educational disruptions related to COVID-19 (e.g., student access to remote learning, instructional time, and instructional format) and issue regulations to administer the CRDC annually so that policymakers and the public have up-to-date information on the status of equity gaps as students and school systems emerge from pandemic.

- (4) USED should require disaggregation of CRDC data by 504 plan status, IDEA disability category, and, to the extent possible, students experiencing homelessness and the racial/ethnic categories used in [American Community Survey](#) categories.

V. Digital Learning

Administrative Action

- **E-rate:** As described above, opportunity and achievement gaps will widen if we do not close the homework gap. Therefore, we urge the Federal Communications Commission to immediately allow funding provided under the E-rate program to be used to pay for home internet access and connected devices, as requested by nearly [every Democratic Senator](#).
- **Professional learning:** Access to technology is critical; however, educators need ongoing support to effectively implement virtual instruction. We encourage you to update and provide [guidance](#) to states on ways federal funding can be used to provide [professional learning](#) for [educators](#); promote and provide digital literacy training for [parents and families](#); and conduct outreach to community-based organizations serving high-need communities to educate and inform families and advocates about new resources available to support high-quality digital learning.